

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF NORTH CAROLINA**  
**ASHEVILLE DIVISION**  
**CASE NO. 1:23-CV-270**

**MACKENZIE ELAINE BROWN**

**Plaintiff**

**v.**

**EXHIBIT 3**

**HENDERSON COUNTY SHERIFF'S**

**OFFICE, et. al**

**Defendants**

**EXHIBIT 3: PLAINTIFF'S CRIMINAL  
COMPLAINT FORM AGAINST BRANCH  
FROM SEPTEMBER 3, 2022**

# CRIMINAL COMPLAINT

A Magistrate is a judicial official for the State of North Carolina. If you want the Magistrate to issue an arrest warrant or criminal summons, you must fill out this criminal complaint form and give it to the Magistrate. The Magistrate will then decide whether to issue a process based on your sworn testimony. You must provide the name and address of the accused as well as your name and address. If your address changes before the case is heard in court, you must notify the Clerk of Superior Court for Henderson County of your new address.  
(Henderson County Clerk of Superior Court phone number: 828-694-4100)

## Victim's Information

*you*  
Name First Mackenzie Middle \_\_\_\_\_ Last Brown  
Date of Birth 8-25-1997 Male \_\_\_\_\_ Female ☒ Race White  
Address 158 Haven Rd, East Flat Rock, NC 28126  
Home Phone# \_\_\_\_\_ Work# \_\_\_\_\_ Mobile# 828-215-4337  
Employer \_\_\_\_\_ Address \_\_\_\_\_  
~~Driver's License #~~ \_\_\_\_\_  
Restitution or Damages \$ \_\_\_\_\_ (bring receipts or bills to court)  
Does suspect have a related pending criminal charge against you? \_\_\_\_\_

## Suspect's Information

*him*  
Name First Robert Middle Dillion Last Burgess-Branch  
Date of Birth 8-22-1993 Male ☒ Female \_\_\_\_\_ Race White  
Address 7 Burgess-Branch Rd, Black Mountain, NC 28711  
Home Phone# \_\_\_\_\_ Work# \_\_\_\_\_ Mobile# 828-215-5929  
Employer \_\_\_\_\_ Address \_\_\_\_\_  
~~Driver's License #~~ \_\_\_\_\_

What did suspect do?

Picking her up by the throat, pushed her up @ floor,  
And to neck & squeezed

When did this happen?

9-26-21 @ 9:00 PM

Where did this happen?

Inside & outside my home

## Witness Information

Name \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

The information in this Criminal Complaint is true to the best of my knowledge.

Date: 9-3-22 X Mackenzie Brown  
Signature of Prosecuting Witness

STATE OF NORTH CAROLINA IN THE GENERAL COURT OF JUSTICE

State of North Carolina

vs.

Defendant \_\_\_\_\_

Trial Date: \_\_\_\_\_ Time: 9:00 AM

1. This is a subpoena. You are commanded to appear and testify in Henderson County District Court at 9:00AM on the trial date above and at each time the case is set thereafter. If you fail to appear, the charges may be dismissed, and the Court could charge you with contempt or require you to pay court costs for frivolous prosecution.
2. You may subpoena witnesses if you wish. You must attach the names, addresses and phone numbers of your witnesses to the Criminal Complaint. You may also contact (in person) the Clerk of Superior Court for Henderson County to subpoena witnesses. Do not wait until the last minute to file a subpoena. You should allow the Sheriff adequate time to find the witnesses before your scheduled trial date.
3. If you change your mind after you initiate criminal charges, you cannot drop the charges. On the trial date, you may request the District Attorney dismiss the charges. If the charges are dismissed, the Court may order you to pay the costs of court on the trial date. The District Attorney may dismiss the charges even if you disagree.

\_\_\_\_\_  
Magistrate

I have received a copy of this subpoena and instructions given to me by the above-signed Magistrate. I understand the subpoena and instructions. I agree to appear in Court on the trial date and each time the case is on the court docket thereafter.

9-3-22 X Mackenzie Boorn  
Date Signature of Prosecuting Witness

You may sign up to receive text/email notifications at: **NCCOURTS.GOV/SERVICES**